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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,492	08/16/2001	Stephen McCann	3036 / 50260	1558

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EXAMINER
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ALAM, UZMA

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/930,492

**Applicant(s)**

MCCANN ET AL.

**Examiner**

Uzma Alam

**Art Unit**

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This action is responsive to the application filed on August 16, 2001. Claims 1-12 are pending. Claims 1-12 represent supplying information to a mobile client.

#### ***Oath/Declaration***

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because it is not signed.

#### ***Specification***

The disclosure is objected to because of the following informalities: the arrangement is improper. There is no brief description of the drawings.

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or

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REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a).

"Microfiche Appendices" were accepted by the Office until March 1, 2001.)

(e) BACKGROUND OF THE INVENTION.

(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(f) BRIEF SUMMARY OF THE INVENTION.

(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(h) DETAILED DESCRIPTION OF THE INVENTION.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Bhatia US Patent No. 5,930,699. Bhatia discloses sending information to a mobile device relative to the location of the device (see abstract).

As per claim 1, Bhatia discloses a system for delivering information services to the users of a wireless Local Area Network (W-LAN) installation comprising a plurality of access points, distributed around the installation and providing wireless access to the installation (providing connection to a host for a mobile device column 1, lines 17-26; column 2, lines 27-45);

the system including means for identifying an access point receiving an information request from a mobile user of the installation, for correlating the position of that access point relative to the installation with that of at least one other access point and/or with the position of

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at least one other feature of the site covered by the W-LAN installation, depending upon the nature of the request, and for utilizing the correlated positional information when supplying the requested information to the mobile user via said first-mentioned access point (supplying a mobile device with location information corresponding to the location of the device at the time of the request; column 2, lines 4-67; column 3, lines 4-10).

As per claim 2, Bhatia discloses a system according to Claim 1, wherein the correlated positional information, or information derived therefrom, is contained in the information supplied to the mobile user, as an orientational aid to the user (column 1, lines 41-52; column 2, lines 11-27; column 3, lines 4-10).

As per claim 3, Bhatia discloses a system according to Claim 1, wherein the information supplied user is graphical (column 1, lines 41-52; column 2, lines 11-27).

As per claim 4, Bhatia discloses a system according to Claim 3, wherein the graphical information supplied to the user displays part at least of the correlated positional information so as to assist the user in locating a feature about which a specific information request has been submitted and/or in which the request itself or a profile of the user's interests indicates potential interest (supplying the device with information about nearby locations; column 1, lines 30-40; column 2, lines 27-45).

As per claim 5, Bhatia discloses a system according to claim 4, comprising a data storage, acquisition and delivery component of the installation configured to perform said functions of identifying said access point receiving an information request from a mobile user of the installation, correlating the position of that access point relative to the installation with that of at least one other access point and/or with the position of at least one other feature of the site covered by the W-LAN installation, and utilizing the correlated positional information when supplying the requested information to the mobile user (column 2, lines 27-45).

As per claim 6, Bhatia discloses a system according to Claim 5, wherein the data storage, acquisition and delivery component comprises a service selection gateway (SSG) device connected and configured to handle all information requests made to the W-LAN installation (column 1, lines 30-40; column 2, lines 11-26).

As per claim 7, Bhatia discloses a system according to claim 5 wherein the data storage, acquisition and delivery component is capable of logging, within a given time period, communications from each individual user of the W-LAN installation, whereby, even if that user is mobile relative to the installation, the extent of different communications made via different access points, the direction of travel of the user within the installation can be recognized (column 2, lines 27-45).

As per claim 8, Bhatia discloses a system according to Claim 7, wherein said information as to the direction of user travel is used to help the user to locate a specific target feature

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identified in an information request submitted by the user, and/or to alert the user to the presence of a feature of potential interest (column 1, lines 30-40; column 2, lines 27-45; column 3, lines 10-17).

As per claim 9, Bhatia discloses a system according to Claim 1, wherein the information supplied to the user is textual (column 2, lines 11-27; column 3, lines 4-10).

As per claim 10 Bhatia discloses a system according to claim 1, wherein the information supplied to the user is audio-based (column 2, lines 11-27; column 3, lines 4-10).

As per claim 11, Bhatia discloses a system according to claim 1, configured to handle information provided to the installation by a user in addition to the supply of requested and/or other relevant information to the user (column 3, lines 26-40).

As per claim 12, Bhatia discloses a method of providing information to a user of a mobile station operating in a wireless Local Area Network (W-LAN) which network comprises a plurality of locationally spaced wireless access points, the method comprising:

receiving at one of the access points a signal transmitted from the mobile station (column 1, lines 17-26; column 2, lines 4-27);

identifying which access point the signal has been received at (column 2, lines 27-67);

and transmitting to the mobile station information relating to the area in which the identified access point is located (column 2, line 27-67; column 3, lines 4-10).

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Leung U.S. Patent No. 6,760,444 discloses a mobile device communicating location information to a home agent.

Kita et al. U.S. Patent Publication No. 2004/000648.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (571) 272-3995. The examiner can normally be reached on Monday-Tuesday 11:30am-8pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Uzma Alam  
Ua



**SALEH NAJJAR  
PRIMARY EXAMINER**